

January 2, 2007

Marlene H. Dortch, Secretary  
Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: CC Docket No. 94-102  
95% Location-Capable Handset Penetration

**February 1, 2007 Status Report  
North Dakota Network Co.**

Dear Ms. Dortch:

On March 17, 2006, the FCC granted North Dakota Network Co. ("NDNC") a temporary waiver, or temporary stay, of the requirements of Section 20.18(g)(1)(v) of the Rules, within which to ensure that penetration of location-capable handsets among its subscribers reaches 95 percent. Rule Section 20.18(g)(1)(v) specifies that the 95 percent penetration level be reached no later than December 31, 2005. The temporary waiver, or temporary stay, has been granted up to and including September 30, 2006. This accounts for a nine (9) month temporary waiver (or temporary stay).

Per the FCC Order, FCC 06-36, in order to monitor compliance in accordance with the relief of the December 31, 2005 95% handset penetration requirement, NDNC is obligated to submit status reports to the FCC February 1, May 1, and November 1 until September 30, 2007.

These reports shall include status on: (1) the number and status of Phase II requests from PSAPs (including those requests NDNC may consider invalid); (2) the dates on which Phase II service has been implemented or will be available to PSAPs served by NDNC's network; (3) the status of NDNC's coordination efforts with PSAPs for alternative 95% handset penetration dates; (4) NDNC's efforts to encourage customers to upgrade to location-capable handsets; (5) the percentage of NDNC's customers with location-capable phones; and (6) until NDNC satisfies the 95% penetration rate, detailed information on its status in achieving compliance and whether it is on schedule to meet the revised deadline.

The filing of this status report meets the FCC's aforementioned requirement.

**Item 1: The number and status of Phase II requests from PSAPs (including those requests it may consider invalid)** – On October 1, 2004, NDNC received one (1) request for Phase II service from the North Dakota Association of Counties. Implementation completed on October 25, 2005.

**Item 2: The dates on which Phase II service has been implemented or will be available to PSAPs served by NDNC's network** – On October 25, 2005, NDNC became E911 Phase II compliant and implemented its request from the North Dakota Association of Counties for Phase II service.

**Item 3: The status of NDNC's coordination efforts with PSAPs for alternative 95% handset penetration dates** – Effective August 31, 2006, NDNC has met the 95% handset penetration requirement. NDNC has not been in contact with the PSAPs regarding this issue; however, if for any reason NDNC feels the need to involve the PSAPs, NDNC will do so immediately.

**Item 4: NDNC's effort to encourage customers to upgrade to location-capable handsets** – NDNC continues to honor the \$15 activation waiver to upgrade to a location-capable handset. Also, posters are displayed in NDNC's retail store advertising E911 and GPS capabilities and information is available on the company website.

**Item 5: The percentage of NDNC's customers with location-capable phone** – As of December 31, 2006, NDNC has 96.4% of its customers with location-capable handsets.

**Item 6: Detailed information on NDNC's status in achieving compliance and whether NDNC is on schedule to meet the revised deadline (September 30, 2006)** – Since the last Status Report filed with the FCC on November 1, 2006, NDNC has increased its location-capable handset penetration by 1.3%

Respectfully submitted,  
NORTH DAKOTA NETWORK CO.



John A. Reiser  
Chief Operations Officer/Assistant Manager